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☐ Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)

PS Form 3826, July 2014 Page 1 of 4 See instructions page 43 PSN 7530-C1-000-9011

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13. Publication Title <b>Kansas Register</b>		14. Issue Date for Calculation (Use Actual) <b>Sept. 29, 2017</b>	
15. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Total Number of Copies (Net press run)		142	133
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17. Publication of Statement of Ownership	Publication not required
If the publication is a general public one, publication of this statement is required. (Will be printed) in the <b>October 5, 2017</b> issue of this publication.	

18. Signature and Title of Editor, Publisher, Business Manager, or Owner	Date
<b>Todd M. Caywood, Kansas Register Editor</b>	<b>Sept. 29, 2017</b>

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

PS Form 3826, July 2014 (Page 2 of 4)

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(Published in the Kansas Register October 5, 2017.)

## City of Clearwater, Kansas

### Notice of Intent to Seek Private Placement General Obligation Bonds, Series 2017-A

Notice is hereby given that the City of Clearwater, Kansas (the "Issuer") proposes to seek a private placement of the above-referenced bonds (the "Bonds"). The maximum aggregate principal amount of the Bonds shall not exceed \$611,000. The proposed sale of the Bonds is in all respects subject to approval of a bond purchase agreement between the Issuer and the purchaser of the Bonds and the passage of an ordinance and adoption of a resolution by the governing body authorizing the issuance of the Bonds and the execution of various documents necessary to deliver the Bonds.

Dated September 26, 2017.

Courtney Meyer  
Clerk

Doc. No. 045763

## State of Kansas

### Department of Health and Environment

#### Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Bureau of Water, will conduct a public hearing at 10:00 a.m. Thursday, January 11, 2018, in the Flint Hills Conference Room, Curtis State Office Building, 1000 SW Jackson, Topeka, Kansas, to consider the adoption of proposed amended regulations K.A.R. 28-15-18, 28-15-19, 28-15a-2, 28-15a-3, 28-15a-6, 28-15a-11, 28-15a-21, 28-15a-23, 28-15a-24, 28-15a-25, 28-15a-26, 28-15a-27, 28-15a-28, 28-15a-29, 28-15a-31, 28-15a-33, 28-15a-41, 28-15a-42, 28-15a-43, 28-15a-60, 28-15a-61, 28-15a-62, 28-15a-63, 28-15a-64, 28-15a-65, 28-15a-66, 28-15a-70, 28-15a-80, 28-15a-100, 28-15a-101, 28-15a-110, 28-15a-111, 28-15a-130, and 28-15a-151, 28-15a-170, 28-15a-201, and 28-15a-500; the adoption of proposed new regulations K.A.R. 28-15a-32, 28-15a-400, 28-15a-600, 28-15a-620, 28-15a-700 and 28-15a-851; and the proposed revocation of K.A.R. 28-15a-4, 28-15a-72, 28-15a-73, 28-15a-74, 28-15a-75, 28-15a-76, 28-15a-81, 28-15a-82, 28-15a-83, 28-15a-84, 28-15a-85, 28-15a-86, 28-15a-87, 28-15a-88, 28-15a-89, 28-15a-90, 28-15a-91, 28-15a-131, 28-15a-132, 28-15a-133, 28-15a-134, 28-15a-135, 28-15a-152, 28-15a-153, 28-15a-154, 28-15a-155, 28-15a-172, 28-15a-173, 28-15a-174, 28-15a-175, 28-15a-202, 28-15a-203, 28-15a-204, 28-15a-205, 28-15a-206, 28-15a-207, 28-15a-208, 28-15a-209, 28-15a-210, 28-15a-501, 28-15a-502, 28-15a-503, 28-15a-530, 28-15a-531, 28-15a-532, 28-15a-533, 28-15a-534, 28-15a-535, 28-15a-536, 28-15a-540, 28-15a-541, 28-15a-542, 28-15a-543, 28-15a-544, 28-15a-550, 28-15a-551, 28-15a-552, 28-15a-553, 28-15a-560, 28-15a-561, 28-15a-562, 28-15a-563, 28-15a-564, 28-15a-570, and 28-15a-571, all regarding primary drinking water.

A summary of the proposed regulations and the estimated economic impact follows:

(continued)

**Summary of Regulations:**

**K.A.R. 28-15-18. Operation and maintenance requirements.** Changes required response time from 45 to 30 days in relation to significant deficiencies.

**K.A.R. 28-15-19. Disinfection of drinking water.** Clarifies disinfection requirements and associated monitoring and reporting.

**K.A.R. 28-15a-2. Definitions; replaced terms.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.2 concerning definitions and clarifies existing state definitions.

**K.A.R. 28-15a-3. Coverage; conditions for exclusion.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.3 concerning coverage and conditions for exclusion.

**K.A.R. 28-15a-6. Effective dates.** Clarifies that expired effective dates, completion dates and beginning compliance dates in regulations adopted by reference will be replaced with the effective date of this regulation.

**K.A.R. 28-15a-11. Maximum contaminant levels for inorganic chemicals.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.11 concerning maximum contaminant levels for inorganic chemicals.

**K.A.R. 28-15a-21. Coliform sampling.** Amended to remove adoption of 40 C.F.R. 141.21 but maintain state requirements. Adds language identifying an actor of the public water supply system.

**K.A.R. 28-15a-23. Inorganic chemical sampling and analytical requirements.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.23 concerning inorganic chemical sampling and analytical requirements.

**K.A.R. 28-15a-24. Requirements for sampling and analyzing organic chemicals.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.24 concerning requirements for sampling and analyzing organic chemicals.

**K.A.R. 28-15a-25. Analytical methods for measuring radioactivity.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.25 concerning analytical methods for measuring radioactivity.

**K.A.R. 28-15a-26. Frequency of monitoring for radioactivity.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.26 concerning frequency of monitoring for radioactivity.

**K.A.R. 28-15a-27. Alternate analytical techniques and testing methods.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.27 concerning alternate analytical techniques and testing methods and documents. Adds a stipulation to ensure that required samples of article 15a of the department's regulations are analyzed by an accredited laboratory.

**K.A.R. 28-15a-28. Approved laboratories.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.28 concerning approved laboratories.

**K.A.R. 28-15a-29. Monitoring of consecutive public water supply systems.** Updates adoption by reference to

the July 1, 2015 publication of 40 C.F.R. 141.29 concerning monitoring of consecutive public water supply systems.

**K.A.R. 28-15a-31. General reporting requirements.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.31 concerning general reporting requirements.

**K.A.R. 28-15a-32. Electronic reporting requirements.** New regulation that requires submission of all Public Water Supply System documents electronically within six months of notification from the department.

**K.A.R. 28-15a-33. General record maintenance.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.33 concerning general record maintenance.

**K.A.R. 28-15a-41. Special monitoring for sodium.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.41 concerning special monitoring for sodium, except the last sentence of 40 C.F.R. 141.41(b) is not adopted.

**K.A.R. 28-15a-42. Special monitoring for corrosivity characteristics.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.42 concerning special monitoring for corrosivity characteristics. Requires community systems to identify specific construction materials of concern.

**K.A.R. 28-15a-43. Prohibition on use of lead pipes, solder, and flux.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.43 concerning prohibition on use of lead pipes, solder, and flux. Clarifies permitted lead content.

**K.A.R. 28-15a-60. Effective dates for maximum contaminant levels and maximum residual disinfectant levels.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.60 concerning effective dates for maximum contaminant levels and maximum residual disinfectant levels.

**K.A.R. 28-15a-61. Maximum contaminant levels for organic contaminants.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.61 concerning maximum contaminant levels for organic contaminants.

**K.A.R. 28-15a-62. Maximum contaminant levels for inorganic contaminants.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.62 concerning maximum contaminant levels for inorganic contaminants.

**K.A.R. 28-15a-63. Maximum contaminant levels for microbiological contaminants.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.63(c), (e), and (f) concerning maximum contaminant levels for microbiological contaminants.

**K.A.R. 28-15a-64. Maximum contaminant levels for disinfection by-products.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.64 concerning maximum contaminant levels for disinfection by-products.

**K.A.R. 28-15a-65. Maximum residual disinfectant levels.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.65 concerning maximum residual disinfectant levels.

**K.A.R. 28-15a-66. Maximum contaminant levels for radionuclides.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.66 concerning maximum contaminant levels for radionuclides.

**K.A.R. 28-15a-70. Requirements for filtration and disinfection.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.70 concerning requirements for filtration and disinfection while excluding requirements referencing unfiltered surface water and groundwater under the influence of surface water systems. Adds language regarding chlorine residual concentrations and monitoring.

**K.A.R. 28-15a-80. Requirements for the control of lead and copper.** Adopts by reference the Short Term Revisions to the Lead and Copper Rule, the July 1, 2015 publication of 40 C.F.R. 141.80, that enhance implementation in the areas of monitoring, treatment, customer awareness, public education, and lead service line replacement.

**K.A.R. 28-15a-100. Requirements for public water supply systems using point-of-entry devices or point-of-use devices.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.100 concerning requirements for public water supply systems using point-of-entry devices or point-of-use devices. Restricts the permitted number of point-of-use devices for a public water supply system to one hundred service connections.

**K.A.R. 28-15a-101. Use of bottled water.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.101 concerning use of bottled water.

**K.A.R. 28-15a-110. General requirements for treatment techniques.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.110 concerning general requirements for treatment techniques.

**K.A.R. 28-15a-111. Treatment techniques for acrylamide and epichlorohydrin.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.111 concerning treatment techniques for acrylamide and epichlorohydrin.

**K.A.R. 28-15a-130. Disinfectant residuals, disinfection by-products, and disinfection by-product precursors.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.130 concerning disinfectant residuals, disinfection by-products, and disinfection by-product precursors.

**K.A.R. 28-15a-151. Requirements for consumer confidence reports.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.151 concerning requirements for consumer confidence reports. Requires additional tested contaminants to be added to consumer confidence reports. Clarifies and adds consumer confidence report distribution requirements.

**K.A.R. 28-15a-170. Enhanced filtration and disinfection requirements for subpart H systems serving 10,000 or more people.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.170 concerning enhanced filtration and disinfection requirements for subpart H systems serving 10,000 or more people.

**K.A.R. 28-15a-201. Requirements for public notification.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.201 concerning requirements for public notification.

**K.A.R. 28-15a-400. Requirements for the groundwater rule.** New regulation that adopts by reference requirements to protect public water supply systems with groundwater sources against disease-causing microorganisms.

**K.A.R. 28-15a-500. Requirements for enhanced filtration and disinfection for subpart H systems serving fewer than 10,000 people.** Updates adoption by reference to the July 1, 2015 publication of 40 C.F.R. 141.500 concerning requirements for filtration and disinfection. Establishes treatment technique requirements. Clarifies trihalomethane (TTHM) and five haloacetic acid (HAA5) alternative data set approval.

**K.A.R. 28-15a-600. Initial distribution system evaluations of the stage 2 disinfection by-products rule.** New regulation that adopts by reference requirements to determine appropriate monitoring locations for determining compliance with maximum contaminant levels for TTHM and HAA5.

**K.A.R. 28-15a-620. Disinfection by-products requirements of the stage 2 disinfection by-products rule.** New regulation that adopts by reference requirements to achieve compliance with maximum contaminant levels based on locational running annual averages for TTHM and HAA5.

**K.A.R. 28-15a-700. Enhanced treatment for Cryptosporidium.** New regulation that adopts by reference requirements to improve the control of microbial pathogens, specifically *Cryptosporidium*, in drinking water for public water supply systems with surface water or groundwater under the influence of surface water sources.

**K.A.R. 28-15a-851. Requirements for the revised total coliform rule.** New regulation that adopts by reference requirements to improve public health protection by establishing a maximum contaminant level for *E.coli*, total coliform treatment technique requirements, seasonal system start-up procedures, assessment, and corrective action requirements.

**K.A.R. 28-15a-4, 28-15a-72, 28-15a-73, 28-15a-74, 28-15a-75, 28-15a-76, 28-15a-81, 28-15a-82, 28-15a-83, 28-15a-84, 28-15a-85, 28-15a-86, 28-15a-87, 28-15a-88, 28-15a-89, 28-15a-90, 28-15a-91, 28-15a-131, 28-15a-132, 28-15a-133, 28-15a-134, 28-15a-135, 28-15a-152, 28-15a-153, 28-15a-154, 28-15a-155, 28-15a-172, 28-15a-173, 28-15a-174, 28-15a-175, 28-15a-202, 28-15a-203, 28-15a-204, 28-15a-205, 28-15a-206, 28-15a-207, 28-15a-208, 28-15a-209, 28-15a-210, 28-15a-501, 28-15a-502, 28-15a-503, 28-15a-530, 28-15a-531, 28-15a-532, 28-15a-533, 28-15a-534, 28-15a-535, 28-15a-536, 28-15a-540, 28-15a-541, 28-15a-542, 28-15a-543, 28-15a-544, 28-15a-550, 28-15a-551, 28-15a-552, 28-15a-553, 28-15a-560, 28-15a-561, 28-15a-562, 28-15a-563, 28-15a-564, 28-15a-570, and 28-15a-571.** Revoked. Provisions contained in these revoked regulations were either moved to other regulations or were outdated and no longer-used requirements and procedures.

(continued)

**Economic Impact**

**Cost to the agency:** Full implementation of the proposed regulations will require one additional full-time employee at an estimated cost of \$67,000 per year to the agency.

**Cost to the public and regulated community:** The proposed regulations will not increase or decrease costs to the general public. However, the proposed new and amended regulations have already cost regulated public water supply systems. Public water supply systems that are required to conduct the necessary sampling, analysis, and monitoring, and in those cases where standards are exceeded, to provide improved treatment for the control of contaminants in order to achieve standards, bear additional costs. The actual costs of compliance are extremely variable depending on the current system size, age, raw water quality, and treatment capabilities.

**Cost to other governmental agencies or units:** There are no known additional costs to other governmental agencies or units.

The time period between the publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to 5:00 p.m. on the day of the hearing to Andrew Hare, Kansas Department of Health and Environment, Bureau of Water, Public Water Supply Section, 1000 SW Jackson,

Suite 420, Topeka, KS 66612, by email to Andrew.Hare@ks.gov, or by fax to 785-296-5509. During the hearing, all interested parties will be given a reasonable opportunity to present their views orally on the proposed regulations as well as an opportunity to submit their written comments. In order to give each individual an opportunity to present their views, it may be necessary for the hearing officer to request that each presenter limit an oral presentation to an appropriate time frame.

Complete copies of the proposed regulations and the corresponding regulatory impact statement may be obtained from the Public Water Supply Section website at <http://www.kdheks.gov/pws/drinkingregulations.html> or by contacting Andrew Hare at the address above, 785-296-5514 or fax 785-296-5509. Questions pertaining to the proposed regulations should be directed to Andrew Hare at the contact information above.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and the regulatory impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Andrew Hare.

Susan Mosier, MD, MBA, FACS  
Secretary and State Health Officer

Doc. No. 045756

## INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2016 Supplement of the *Kansas Administrative Regulations*.

### AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-74	Amended	V. 35, p. 1093
1-6-23	Amended	V. 35, p. 1093
1-9-7b	Amended	V. 36, p. 1089
1-9-23	Amended	V. 35, p. 1094
1-14-8	Amended	V. 35, p. 1096
1-14-10	Amended	V. 35, p. 1097
1-16-4	Amended	V. 35, p. 44
1-16-8	Amended	V. 35, p. 44
1-16-15	Amended	V. 35, p. 45
1-16-18	Amended	V. 35, p. 45
1-16-18a	Amended	V. 35, p. 46
1-39-1 through 1-39-4	Revoked	V. 36, p. 8

### AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-2-3	Amended	V. 36, p. 1088

4-2-8	Amended	V. 36, p. 1088
4-2-17a	Revoked	V. 36, p. 1088
4-2-21	New	V. 36, p. 1088
4-5-1	Revoked	V. 35, p. 238
4-5-2	Revoked	V. 35, p. 238
4-5-4	New	V. 35, p. 238

### AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-1-1	Amended	V. 35, p. 308
5-3-6a	Amended	V. 36, p. 159
5-5-9	Amended	V. 36, p. 1036
5-5-10	Amended	V. 36, p. 1036
5-5-16	Amended	V. 36, p. 1037
5-12-1	Amended	V. 35, p. 313
5-14-10	Amended	V. 36, p. 823
5-14-11	Amended	V. 36, p. 1038
5-14-12	New	V. 36, p. 825
5-21-3	Amended	V. 36, p. 160
5-21-6	Amended	V. 35, p. 431
5-22-7	Amended	V. 35, p. 199
5-23-4	Amended	V. 35, p. 385
5-23-4b	Revoked	V. 35, p. 386
5-24-2	Amended	V. 35, p. 386
5-25-21	New	V. 35, p. 200

### AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-23-16	New (T)	V. 35, p. 662

### AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH

Reg. No.	Action	Register
9-3-9	Amended	V. 36, p. 140
9-3-10	Amended	V. 36, p. 140

9-7-4	Amended	V. 35, p. 428
9-7-4a	New	V. 35, p. 428
9-10-33a	Amended	V. 36, p. 1038
9-10-40	New	V. 36, p. 1038
9-18-31	New	V. 35, p. 313
9-26-1	Revoked	V. 35, p. 314
9-27-1	Amended	V. 35, p. 695

### AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-9-1	Revoked	V. 35, p. 1033
16-14-10	New (T)	V. 35, p. 626
16-14-10	New	V. 35, p. 858
16-14-11	New (T)	V. 35, p. 626
16-14-11	New	V. 35, p. 858
16-15-1 through 16-15-4	New (T)	V. 35, p. 626-628
16-15-1 through 16-15-4	New	V. 35, p. 858-860
16-16-1	New	V. 35, p. 1033
16-16-2	New	V. 35, p. 1033
16-16-3	New	V. 35, p. 1033

### AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-4-114a	Amended	V. 36, p. 364
28-4-118	Amended	V. 36, p. 365
28-4-428	Amended	V. 36, p. 366
28-4-428a	Amended	V. 36, p. 366
28-4-587	Amended	V. 36, p. 571
28-4-592	Amended	V. 36, p. 573
28-4-802	Revoked	V. 36, p. 973
28-17-10	Amended	V. 35, p. 566
28-17-11	Revoked	V. 35, p. 567
28-17-20	Amended	V. 35, p. 567